

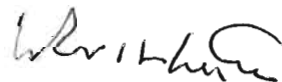
**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION AT DAYTON**

MARTIN D. BURNS,	:	
Plaintiff,	:	Case No. 3:07CV0018
vs.	:	District Judge Walter Herbert Rice
	:	Magistrate Judge Sharon L. Ovington
JOHN E. POTTER, Postmaster General,	:	
Defendant.	:	

**DECISION AND ENTRY ADOPTING REPORT AND RECOMMENDATIONS FILED ON
FEBRUARY 21, 2008 (DOC. # 12); GRANTING DEFENDANT'S MOTION TO DISMISS
PLAINTIFF'S INTENTIONAL INFLICTION OF EMOTIONAL DISTRESS CLAIM AND
DEFENDANT'S MOTION TO STRIKE PLAINTIFF'S DEMAND FOR PUNITIVE DAMAGES
(DOC. # 8)**

The Court has conducted a de novo review of the Report and Recommendations of United States Magistrate Judge Sharon L. Ovington (Doc. # 12), to whom this case was originally referred pursuant to 28 U.S.C. §636(b), and noting that no objections have been filed thereto and that the time for filing such objections under Fed. R. Civ. P. 72(b) has expired, hereby **ADOPTS** in full said Report and Recommendations. It is therefore **ORDERED** that:

1. The Report and Recommendations filed on February 21, 2008 (Doc. # 12) is **ADOPTED**;
2. Defendant's Motion to Dismiss Plaintiff's Intentional Infliction of Emotional Distress Claim and Motion to Strike Plaintiff's demand for Punitive Damages (Doc. # 8) is **GRANTED**.



Walter Herbert Rice
United States District Judge